EXHIBIT E - PROJECT CONDITIONS (DRAFT)
3862 Sweeten Creek–Ardmore Apartments

1. The properties included in the rezoning are shown on the site plan and are identified on the Buncombe County tax map as PINs 9654-44-4259 & 9654-44-1465. The total size of the two subject parcels is 12.06 acres.

2. Pursuant to this ordinance, the entire subject property is rezoned to Residential Expansion - Conditional Zone (RES EXP - CZ), and approval is limited to the proposed project ("Project") described herein.

3. The Project will include five new multi-family buildings with a maximum of 130 residential units.

4. The new buildings will not exceed the maximum allowed height of 60' as defined in Section 7-8-42(d)(7) of the UDO.

5. Vehicular access to the Project will be provided by a street-type driveway on Sweeten Creek Rd.

6. The Project will comply with minimum and maximum parking space required by Section 7-11-2 of the UDO.

7. The Project's post-impervious area will not exceed 80%.

8. Open Space will be provided on the site according to standards required by Section 7-11-4 of the UDO and as shown on the site plans.

9. Landscaping will be provided on the site according to standards required by Section 7-11-3 of the UDO and as shown on site plans unless otherwise noted in the Technical Modifications.

10. Tree canopy preservation requirements will be satisfied as required by UDO Article XIX.

11. Except as modified herein, the Project shall comply with all conditions outlined in the May 4, 2026 TRC Staff Report.

12. Affordable housing is included in the Project:
    a. All units (100%) shall be leased to households earning equal to or less than 80% of the Area Median Income (AMI) for Asheville, NC as established by HUD. The minimum affordability period for all units shall be 20 years and shall commence on the date of issuance of a Certificate of Occupancy for the property.

b. All of the affordable units will also accept, but are not restricted to, HUD (Housing Choice) vouchers.
c. Prior to issuance of Certificate of Occupancy for the property, the Developer shall record a Declaration of Restrictions provided by the City setting forth the Affordability Terms, which shall become effective upon the execution and recording thereof.

13. The Project includes technical modifications:
    1) 6’ wide sidewalk with 8’ wide utility strip along the Sweeten Creek Road (US 25A) frontage. A sidewalk easement within the site frontage will be provided as needed.
    2) 6’ wide minimum sidewalk internally to the site.
    3) Street trees along Sweeten Creek Road (US 25A) to be planted up to 40’ from the existing entry to avoid conflict with site visibility triangles.

14. The Project will undergo final review by the TRC prior to issuance of any permits. Compliance with the items listed above will be required at that time except as provided for elsewhere in these conditions.

15. All proposed site and exterior building lighting must meet the outdoor lighting requirements found in UDO Sec. 7-11-10.

16. The building design, site design and orientation on site must substantially comply with the approved site plan and elevations which are incorporated herein by reference.

17. All applicable required local, state, and federal permits and approvals must be obtained prior to initiation of construction.

18. The conditional zoning will be valid for five years from the date of approval by City Council with action taken to obtain building permits within this 60-month period. At the end of this approved term, if action has not been taken to obtain requisite permits, the Planning and Urban Design Director may initiate appropriate action to rezone the affected property to any other classification. Nothing herein shall be construed to extend any time limitations prescribed by statute or by other ordinances in this chapter.

Agreed to and Accepted this the _____ day of _____, 2026, by the Property Owner/Applicant:

_____

Owner/Applicant Signature